

## Juvenile Guardianship Assistance Program

Juvenile guardianship is a legally created relationship between a guardian and a foster child. The arrangement is intended to provide the child with a stable, permanent home.

Before the court can appoint a juvenile guardian, the following must be completed:

- Criminal background checks and Central Registry clearances on the guardian and all adults living in the household.
- Written consent from the Michigan Children's Institute (MCI) superintendent for state wards.
- Foster care licensing of the guardian's home.

After a guardian is appointed:

- The foster care case closes.
- The court conducts annual reviews.
- The guardian must obtain court approval to change a child's home to another state.

The guardian will have the following powers for the child:

- Make educational decisions.
- Decision making that is the same as a birth or adoptive parent.
- Obtain medical treatment.
- Determine the child's residence.
- Responsible for the daily activities of the child.

## GUARDIANSHIP ASSISTANCE PROGRAM (GAP)

GAP provides financial support to ensure a permanent home for children who may otherwise remain in foster care until reaching the age of majority. A guardianship assistance agreement must be signed by both the prospective guardian and the Department of Human Services (DHS) representative before the court appoints the guardian. The agreement is effective on the date of the guardian's appointment by the court.

## Guardianship Assistance Program Eligibility

All of the following eligibility requirements must be met:

- The child's removal from his/her home was a result of a court determination that continuing in the home would be contrary to the child's welfare.
- Reunification and/or adoption have been ruled out as appropriate permanency options for the child.
- The child has been consulted about the guardianship arrangement, if he/she is age 14 years or older, and is in agreement.
- The child is strongly attached to the guardian and the guardian has a strong commitment to caring permanently for the child.
- The guardian must be a licensed foster parent.
- The child must live in the licensed guardian's home for at least six months prior to requesting guardianship assistance.
- There must be current criminal and Central Registry background checks of the guardian and all adults living in the home.

**Note:** Guardianships that are in place prior to the signing of a Guardianship Assistance Agreement are not eligible for the Guardianship Assistance Program.

GAP eligibility exists until one of the following occurs:

- The guardianship ends due to the youth's age requirements.
- The child is emancipated by court order, marriage or military service.
- The child or guardian dies.
- The child is adopted.
- Guardianship is revoked or terminated by the court.
- The child is no longer being supported by the guardian.
- The guardian requests that the payment be stopped.

The assistance may be extended from age 18 to 21, if the youth enters the guardianship on or after his/her 16th birthday and meets the eligibility requirement for an extension. In these instances, an application will be sent to the guardian 90 days prior to the child's 18th birthday.

## Medicaid

Children who qualify for Title IV-E-funded guardianship assistance are categorically eligible for Medicaid. DHS determines eligibility for Medicaid for state-funded guardianship assistance. If eligible, Medicaid will continue while the guardianship assistance agreement is in effect.

## Medical Subsidy

A child may be eligible for Juvenile Guardianship Medical Subsidy if all of the following apply:

- The child is approved for the Guardianship Assistance Program.
- The child is under the age of 18.
- The expenses are necessary due to a physical, mental or emotional condition that existed or the cause of which existed prior to the guardianship order.
- The physical, mental or emotional condition is certified by the DHS subsidy office.
- DHS and the guardian have entered into a Juvenile Guardianship Medical Subsidy Agreement.
- Medical subsidy applications may be submitted either before or after the appointment of the guardian and may be approved up until the child's 18th birthday. Applications can be obtained from DHS, a private foster care agency or on the DHS website, [www.michigan.gov/dhs](http://www.michigan.gov/dhs).

## Nonrecurring Expenses

Nonrecurring expenses are reasonable and necessary fees and expenses directly related to the process of obtaining a juvenile guardianship such as travel, lodging, medical expenses, court fees, evaluations and licensing assessments.

In order to qualify for nonrecurring expenses reimbursement, the following must occur:

- A Guardianship Assistance Agreement is in effect when the court appoints the guardian.
- Eligible expenses must be claimed within two years of the date of the guardianship order.

**Note:** Maximum lifetime allowable amount is \$2,000 per child.

## Other Financial Benefits

Once appointed, the guardian should apply to be the payee for children who are eligible for:

- Supplemental Security Income (SSI): The Social Security Administration will determine the child's continued SSI eligibility and amount.
- Retirements, Survivors, Disability Insurance (RSDI) or Veteran's Administration benefits.

## Additional Services for Older Youth

**Youth in Transition (YIT)** funding is available for an eligible youth age 18 to 21 who was in foster care on or after his/her 14th birthday and placed in GAP at age 16 or older. This funding is for expenses not covered by other resources. Examples include but are not limited to housing, health care, education and employment expenses. For more information go to <http://www.michigan.gov/fyit>.

**Education and Training Voucher (ETV)** - Provides up to \$4,000 per year based on available funding to cover school- or vocational-related expenses for any youth who meets all of the following:

- Was in foster care on or after his/her 14th birthday.
- Guardianship order was dated on or after his/her 16th birthday.
- Has a high school diploma or its equivalent.
- Is attending an accredited school at least half-time.

For questions contact (887) 660-METV(6388)

## Guardianship Options Without Assistance

**Juvenile Guardianship Without Assistance** – The guardian has all the rights for the child as a guardian who receives assistance. When the child is a temporary or permanent court ward and the prospective guardian is not requesting juvenile guardianship assistance, the worker is not required to receive DHS subsidy office approval prior to the court appointing a juvenile guardian. When the child is an MCI ward, the worker must request consent from the MCI superintendent on **all MCI cases**.

**EPIC (Estates & Protected Individuals Code) Guardianships** – The guardian is appointed by the probate court. The court may order an investigation of the proposed guardianship.

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State of Michigan  
Department of Human  
Services



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